

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GWANJUN KIM,

Plaintiff,

Case No. 1:06-CV-683

v

Hon. Gordon J. Quist

U.S. DEPARTMENT OF LABOR,  
et al,

Defendants.

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**ORDER GRANTING MOTION FOR LEAVE  
TO FILE SECOND AMENDED COMPLAINT**

On November 30, 2006, the court entered an order directing any defendants who oppose plaintiff filing a second amended complaint to file their briefs in opposition not later than December 13, 2006.

On December 13, 2006, three entities who are not party defendants in this action, but whom plaintiff seeks to add as defendants in his proposed Second Amended Complaint, being the Michigan Department of Labor & Economic Growth, Unemployment Insurance Agency, and Department Director, Robert W. Swanson, filed an Answer to Plaintiff's Motion for Leave to File Second Amended Complaint (docket no. 29) opposing plaintiff's motion to amend. The three prospective adverse parties cite no authority which would allow them to file such an answer since they are not yet parties to this action, and the court is aware of none. Accordingly, the "Answer" filed by the three prospective adverse parties will be ordered STRICKEN. These entities may, of course, file a motion to dismiss at the appropriate time.

None of the present defendants having filed briefs in oppositions to plaintiff's motion, plaintiff's motion to file a second amended complaint (docket no. 8) is GRANTED and the complaint is deemed filed this date.

IT IS SO ORDERED.

Dated: December 14, 2006

/s/ Hugh W. Brenneman, Jr.

Hugh W. Brenneman, Jr.

United States Magistrate Judge